

49-52. (Canceled)

REMARKS

Applicants thank the Examiner for the Advisory Action issued December 9, 2003, and note the statement that "claim(s) 37-40 and 45-48 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claims."

The present response cancels all claims except 37-40 and 45-48, and presents one amendment to Claim 37. This amendment, which specifically delimits the truncated promoter sequences as described in Example 4 of the specification, presents no new matter. Applicants respectfully assert that these isolated sequences are all fully described and enabled by the specification as well as by prior responses, and ask that the Examiner include said sequences in the allowed claims. The Examiner's attention is specifically directed to the specification, p. 40, line 15, through page 41, line 3; and to the response filed June 12, 2003 (paper No. 36) and the figure accompanying it.

The undersigned further states that she attempted to contact the Examiner, and the Examiner's supervisor, on January 8 and 9, 2004, to initiate an interview, but was unsuccessful. A receptionist at TC1600 reported that phone service had been disrupted due to office moves. The undersigned respectfully requests that an interview be granted, if necessary, to discuss the proposed amendment or to resolve any other remaining issues.

Respectfully submitted

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